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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number	09/911,904
Filing Date	July 23, 2001
First Named Inventor	Spencer B. FARR
Group Art Unit	1642
Examiner Name	To Be Assigned
Total Number Of Pages In This Submission	174
Attorney Docket No.	400742000200

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form plus copy for fee processing (2 pages)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (1 page)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> 1 Copy of Notice of Incomplete Reply (Nonprovisional) (1 page) 2 Response to Notice of Incomplete Reply (Nonprovisional) (2 pages) 3 Substitute Specification in compliance with 37 C.F.R. 1.52 (167 pages) 4 Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Rd, Palo Alto, California 94304-1018 Terri M. Shieh-Newton, Reg. No. 47,081
Signature	
Date	June 6, 2002

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Tamara Alcaraz

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,904	07/23/2001	Spencer B. Farr	400742000200

Terri M. Shieh-Newton
 Morrison & Foerster LLP
 755 Page Mill Road
 Palo Alto, CA 94304-1018



CONFIRMATION NO. 4189
FORMALITIES LETTER



OC000000008026428

Date Mailed: 05/06/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on 04/09/2002 to the Notice to File Missing Parts (Notice) mailed 11/06/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

*A copy of this notice **MUST** be returned with the reply.*

Spencer B. Farr
 Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE



06/13/2002 00000109 031952 09911904

PATENT
Docket No. 400742000200

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[Signature]
Tamara Alcaraz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Spencer B. FARR et al.

Serial No.: 09/911,904

Filing Date: July 23, 2001

For: CANINE TOXICITY GENES

Examiner: To Be Assigned

Group Art Unit: 1642

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

1. Substitute Application with revisions from April 5, 2002 Preliminary Amendment.

During a conversation with Customer Service at the U.S. Patent & Trademark Office on May 14, 2002, permission was given to include the revisions from the Preliminary Amendment submitted April 5, 2002 to the U.S. Patent & Trademark Office to the Substitute Application that we are submitting.

Please note that Applicant is submitting a total of \$780.00 of which \$980.00 is for a 5 month extension of time to extend the date from May 6, 2002 to June 6, 2002 minus the \$200.00

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fee previously paid on April 5, 2002 that extended the date to file the Missing Parts from January 6, 2002 to March 6, 2002.

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to **Deposit Account No. 03-1952**.

Respectfully submitted,

Dated: June 6, 2002

By:


Terri M. Shieh-Newton
Registration No. 47,081

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5649
Facsimile: (650) 494-0792

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number. (Optional)
400742000200In re Application of
Spencer B. FARR et al.Application Number
09/911,904

Filed

July 23, 2001

For
CANINE TOXICITY GENES

Group Art Unit

1642

Examiner

To Be Assigned

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

One month (37 CFR 1.17(a)(1)) \$ _____

Two months (37 CFR 1.17(a)(2)) \$ _____

Three months (37 CFR 1.17(a)(3)) \$ _____

Four months (37 CFR 1.17(a)(4)) \$ _____

Five months (37 CFR 1.17(a)(5)) - two month extension previously paid on April 5, 2002 \$ 1,560.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$780.00.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-1952. ~~I have enclosed a duplicate copy of this sheet.~~ Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the applicant/inventor

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

attorney or agent of record.

attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 6, 2002

Date

Signature

Terri M. Shieh-Newton

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

Burden Hour Statement. This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

pa-699299